

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

METLIFE INVESTORS USA	)	
INSURANCE COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 07 CV 7268
	)	
SAMANTHA CHHUN and MOEUN	)	Judge Moran
SOK,	)	
	)	
Defendants.	)	

**PLAINTIFF METLIFE INVESTORS USA INSURANCE COMPANY'S  
MOTION FOR DEFAULT AND FOR ENTRY OF PERMANENT  
INJUNCTION AGAINST DEFENDANTS**

MetLife Investors USA Insurance Company hereby moves for default judgment pursuant to Fed. R. Civ. P. 55(b)(2) against defendants Samantha Chhun and Moeun Sok because Ms. Chhun and Ms. Sok have exceeded the date by which they were obligated to respond to MetLife's Complaint. In support of its motion, MetLife states as follows:

1. On December 27, 2007, MetLife filed a Complaint For Declaratory Judgment and Rescission against Samantha Chhun and Moeun Sok.
2. In its Complaint (attached as Ex. A), MetLife sought the following relief:
  - A. As to Count I for declaratory judgment:
    - (i) An Order declaring a Flexible Premium Adjustable Life Insurance Policy with Coverage Continuation bearing policy number 206 020 342 USU (the "Policy") void *ab initio*;
    - (ii) An Order declaring that Defendants be prohibited from filing or prosecuting any action in any other court related to said Policy;
    - (iii) An Order awarding MetLife its costs; and

- (iv) An Order awarding MetLife any other and further relief that this Court deems just and proper.

B. And, as to Count II, for rescission:

- (i) An Order declaring that the Policy is void *ab initio*;
- (ii) An Order declaring that Defendants be prohibited from filing or prosecuting any action in any other court related to said Policy;
- (iii) An Order awarding MetLife its costs; and
- (iv) An Order awarding MetLife any other and further relief that this Court deems just and proper.

3. On January 18, 200 MetLife completed service on Defendants through substitute service on Lexy Ung, daughter of Ms. Chhun and granddaughter of Ms. Sok. (*See Returns of Service*, attached as Ex. B.)

4. Neither Ms. Sok nor Ms. Chhun has answered or otherwise pled in response to the Complaint. Under Fed. R. Civ. P. 12(a)(1)(B), their responsive pleadings to MetLife's Complaint were due the same day, February 7, 2008. Because neither ever responded, they are in default.

5. Although MetLife is willing to forego its fees in this matter, it does seek rescission of the Policy.

WHEREFORE, MetLife requests that this Court enter judgment in its favor against Samantha Chhun and Moeun Sok on MetLife's Complaint Declaratory Judgment and Rescission and grant the following relief per the attached proposed Order (Ex. C):

- Declaring the Policy void *ab initio* and;
- Prohibiting Defendants from filing or prosecuting any action in any court related to the Policy.

Respectfully submitted,

METLIFFE INVESTORS USA  
INSURANCE COMPANY

/s/ Brendan J. Healey

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April 3, 2008  
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